IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
WACO DIVISION

VIDEOSHARE, LLC,
       Plaintiff

-v-

GOOGLE LLC and YOUTUBE, LLC,
       Defendants.

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6:19 CV-00663-ADA

CLAIM CONSTRUCTION ORDER

Before the Court are the parties' claim construction briefs: Plaintiff VideoShare, LLC's

opening, responsive, and reply briefs (ECF No. 54, 58, and 60, respectively) and Defendant Google

LLC's and YouTube, LLC's opening, responsive, and reply briefs (ECF No. 53, 57, and 59,

respectively). The Court provided preliminary constructions on November 11, 2020 and held the

Markman hearing on November 12, 2020. Taking into consideration the parties' briefs and

arguments at the Markman hearing, the Court enters its constructions as the final constructions for

each term as shown below.

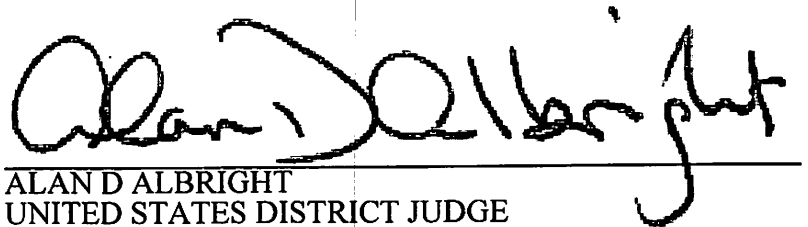| Claim Term	VideoShare's Proposed Construction	Google & YouTube's Proposed Construction	Court's Preliminary Construction
"the identified video content"	This term has its plain and ordinary meaning and need not be construed. In the alternative only, this term may be construed as: "the video content identified for streaming"	"the video content corresponding to the first video file and the second video file"	Plain and ordinary meaning where plain and ordinary meaning means that the "identified video content" must have a corresponding identifier.

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Claim Term	Videoshare's Proposed Construction	Google & YouTube's Proposed Construction	Court's Preliminary Construction
"depending on a compatibility of the second server system or a compatibility of the second client with the first format or the second format"	"by selecting one of a first format or second format based on the software, hardware, and/or network capability of the second server system and/or the software, hardware, and/or network capability of the second client"	"after determining which of the first video file or second video file is most compatible with the second server system or the second client"	"after determining which of the first format or second format is most compatible with the second server system or the second client"

SIGNED this 12th day of November, 2020.

ALAN D ALBRIGHT
UNITED STATES DISTRICT JUDGE